

1 MORRIS POLICH & PURDY LLP
2 David J. Vendler, Esq. (SBN 146528)
3 Email: dvendler@mpplaw.com
4 1055 West Seventh Street, Suite 2400
5 Los Angeles, California 90017
6 Tel.: (213) 417-5100
7 Fax: (213) 488-1178

8 MICHAEL R. BROWN, APC
9 Michael R. Brown, Esq. (SBN 65324)
10 Email: mbrown@mrbapclaw.com
11 18101 Von Karman Avenue, Suite 1900
12 Irvine, California 92612
13 Tel.: (949) 435-3888
14 Fax: (949) 435 3801

15 Attorneys for Plaintiffs, GEORGE and CLAUDIA
16 CAMBERIS, and all others similarly situated

17
18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**

20
21 GEORGE CAMBERIS and
22 CLAUDIA CAMBERIS, individually,
23 and on behalf of the class of all others
24 similarly situated,

25
26 Plaintiffs,

27 vs.

28 OCWEN LOAN SERVICING, LLC,

Defendant.

Case No.: CV14-2970 EMC

**SECOND SUPPLEMENTAL
DECLARATION OF DAVID J.
VENDLER IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT AND FOR AWARD
OF ATTORNEYS' FEES**

29
30 Date: December 12, 2015
31 Time: 10:30 a.m.
32 Ctrm.: "5"
33 Judge: Hon. Edward M. Chen

34 Action Filed: June 26, 2014

SUPPLEMENTAL DECLARATION OF DAVID J. VENDLER

I, David J. Vendler, declare and say as follows:

1. I am an attorney duly licensed to practice before this Court, all of the state and federal courts located in California and Massachusetts and the United States Supreme Court. I am a partner in the law firm of Morris, Polich & Purdy LLP (“MPP”), co-counsel of record for the plaintiffs in the within action. This supplemental declaration is being made in support of plaintiffs’ motion for final approval of class action settlement and Class Counsels’ attorneys’ fees. I have personal knowledge of the facts herein and if called to testify thereto, I could and would do so competently.

2. Since I filed my Supplemental Declaration relating to the participation of class members, opt outs and objectors, there were an additional 7 opt outs that were timely filed.

3. Even including these late opt outs, it remains true that far less than 1 percent of Class Members have opted out. In *Chun-Hoon v. McKee Foods Corp.*, 716 F.Supp.2d 848, 858 (N.D.Cal. 2010) even though opt-outs comprised fully 4.86% of the class, the Court still found a positive response by the class warranting the presumption of favorability. Here, out of over 15,000 class members, only 20 have opted out.

4. Based on the positive response of the class and the papers previously filed, Plaintiffs request that their motion for final approval be granted.

I declare under penalty of perjury under the laws of the United States of America that this declaration is true and correct and that this declaration was executed at Los Angeles, California on October 8, 2015. 

David J Vendler